

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION**

**ROI DEVELOPERS, INC.,
d/b/a ACCRUVIA,**

Plaintiff,

v.

ATHENA BITCOIN, INC.,

Defendant.

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Civil Action No. 4:22-cv-00073-O

PLAINTIFF'S TRIAL EXHIBIT LIST

Pursuant to the February 23, 2022, Scheduling Order (Dkt. #6) (¶8), Plaintiff ROI Developers, Inc., d/b/a Accruvia (“Accruvia”) submits this its Trial Exhibit List:

Pursuant to Paragraph 8.c of the Scheduling Order, Plaintiff has conferred with Defendant about Plaintiff's Trial Exhibits shown below (and provided a copy of the exhibits to Defendant) about the admissibility of the exhibits. Defendant's specific objections to certain exhibits are noted below under the column titled “Objection by Defendant”; that column also indicates where Defendant did not have any objections:

Exhibit	Description	Prior Identification	Objection By Defendant	Offered	Admitted
P. Ex. 1	Accruvia Invoices IB1050, IB1052	Gravengaard Dep. Ex. 9/9B (Accruvia 11-12)	None		
P. Ex. 2	Bill.com payment tracking records	Accruvia 4-7	None		
P. Ex. 3	Accruvia Invoice IB1049	Accruvia 16	Hearsay; not relevant		
P. Ex. 4	Accruvia Inovice IB1049	Accruvia 13	Hearsay; not relevant		

Exhibit	Description	Prior Identification	Objection By Defendant	Offered	Admitted
P. Ex. 5	10.4.21 and 11.5.21 emails regarding payment	Athena 17-18, 25-26	None		
P. Ex. 6	Payment emails	Accruvia 1-3	None		
P. Ex. 7	Payment records	Accruvia 9-10	Hearsay		
P. Ex. 8	11.5.21 payment email	Gravengaard Dep. Ex. 11 (Accruvia 8)	None		
P. Ex. 9	Bank records	Gravengaard Dep. Ex. 14 (Athena 19-20)	Hearsay		
P. Ex. 10	Excerpts from 2.10.22 Athena Bitcoin Global SEC Form S-1	Portions at Gravengaard Dep. Ex. 2 (full version at Accruvia 83-290)	None		
P. Ex. 11	Attorneys' fees records	Accruvia 291-298	Hearsay; does not reflect reasonable or necessary fee		
P. Ex. 12	7.29.22 Letter to Larry Fowler regarding attorneys' fees		None		
P. Ex. 13	10.4.21 Engagement Letter	Accruvia 299-307	Hearsay		
P. Ex. 14	Defendant's Supplemental Response to Plaintiff's First Set of Personal Jurisdiction Discovery		None		
P. Ex. 15	Defendant's Responses to Plaintiff's First Set of Merits Discovery		None		
P. Ex. 16	Defendant's Initial Disclosures		None		
P. Ex. 17	Emails between Accruvia and Athena	Accruvia 23-33	Hearsay		

Exhibit	Description	Prior Identification	Objection By Defendant	Offered	Admitted
P. Ex. 18	Emails between Accruvia and Athena	Accruvia 14-22	Page one hearsay		
P. Ex. 19	Athena Bitcoin Inc. Texas Franchise Tax Public Information Reports	Gravengaard Dep. Ex. 4 (Athena 6, 7, 14, 9)	None		
P. Ex. 20	7.15.16 Application for Registration of a Foreign For-Profit Corporation	Accruvia 56-57	None		
P. Ex. 21	Texas Secretary of State printouts	Accruvia 62-65	None		
P. Ex. 22	Athena website printout	Gravengaard Dep. Ex. 7 (Accruvia 79-82)	Hearsay		
P. Ex. 23	Athena website printout	Accruvia 69-78)	Hearsay		
P. Ex. 24	Translation and NDA	Exhibit A to Dkt. # 13 in Case No. 1:22-cv-001291, United States District Court for the Northern District of Illinois	None		
P. Ex. 25	Athena Bitcoin Term Sheet	Gravengaard Dep. Ex. 3 (Athena 3-5)	None		
P. Ex. 26	Chivo Wallet Diagram	Gravengaard Dep. Ex. 19 (Accruvia 34-41)	Hearsay		
P. Ex. 27	Declaration of Panagiotis Angelopolous	Attached to Response to Motion for Summary Judgment	Hearsay		
P. Ex. 28	Supplemental Declaration of Pangagiotis Angelopolous	Attached to Response to Motion for Summary Judgment	Hearsay		

Dated this 22nd day of December, 2022.

Respectfully submitted,

/s/ Kelly Stewart
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ATTORNEY FOR PLAINTIFF

CERTIFICATE OF SERVICE

I certify on the 22nd day of December, 2022, I served this document via email to counsel of record.

/s/ Kelly Stewart